



MEMORANDUM

City of Beaverton

Community and Economic Development Department

To: Interested Parties
From: City of Beaverton Planning Division
Date: June 28, 2013
Subject: *Notice of Decision for Walker Fred Meyer Fuel Center Expansion (DR2013-0034)*

Please find attached the notice of decision for **Walker Fred Meyer Fuel Center Expansion (DR2013-0034)**. Pursuant to Section 50.40.11.E of the Beaverton Development Code, the decisions are final, unless appealed within twelve (12) calendar days following the date of the decision. The procedures for appeal of a Type 2 Decision are specified in Section 50.65 of the Beaverton Development Code. The appeal shall include the following in order for it to be accepted by the Director:

- The case file number designated by the City.
- The name and signature of each appellant.
- Reference to the written evidence provided to the decision making authority by the appellant that is contrary to the decision.
- If multiple people sign and file a single appeal, the appeal shall include verifiable evidence that each appellant provided written testimony to the decision making authority and that the decision being appealed was contrary to such testimony. The appeal shall designate one person as the contact representative for all pre-appeal hearing contact with the City. All contact with the City regarding the appeal, including notice, shall be through this contact representative.
- The specific approval criteria, condition, or both being appealed, the reasons why a finding, condition, or both is in error as a matter of fact, law or both, and the evidence relied on to allege the error.
- The appeal fee of \$250.00, as established by resolution of the City Council.

The appeal closing date for **Walker Fred Meyer Fuel Center Expansion (DR2013-0034)** is 5:00 p.m., Wednesday, July 10, 2013.

The complete case files including findings, conclusions, and conditions of approval, if any, are available for review. The case files may be reviewed at the Beaverton Planning Division, Community and Economic Development Department, 2nd Floor, City Hall, 4755 SW Griffith Drive between 7:30 a.m. and 5:00 p.m., Monday through Friday, except holidays. For more information about the case file, please contact Cassera Phipps, Assistant Planner with the Beaverton Planning Division at (503) 526-2247.



NOTICE OF DIRECTOR'S DECISION

DATE: June 28, 2013

TO: Interested Parties

STAFF: Cassera Phipps, Assistant Planner CP

PROPOSAL: **DR2013-0034 (Walker Fred Meyer Fuel Center Expansion)**

LOCATION: 15995 SW Walker Road
Tax Lot 1100 on Washington County Tax Assessor's Map
1S1-05BA

SUMMARY: The applicant seeks Design Review Two approval to expand the existing fuel facility located on the northeast portion of the site. The applicant proposes to extend the fuel canopy 35 feet to the west, totaling approximately 3,200 square-feet of new canopy area. The applicant's proposal includes the addition of three (3) fuel dispensers. The request includes modification to landscaping, lighting, and on-site parking and circulation.

APPLICANT'S REPRESENTATIVE: Barghausen Consulting Engineers, Inc.
Joel Howitt
18215 – 72nd Avenue South
Kent, WA 98032

PROPERTY OWNER/
APPLICANT: Fred Meyer Stores, Inc.
James Coombes
3800 SE 22nd Avenue
Portland, OR 97202

DECISION CRITERIA: Development Code Sections 40.03 *Facilities Review* and 40.20.15.2.C *Design Review Two*

RECOMMENDATION: **Approval of DR2013-0034 (Walker Fred Meyer Fuel Center Expansion)**, subject to conditions identified at the end of this report.

BACKGROUND FACTS

Key Application Dates

<u>Applications</u>	<u>Submittal Date</u>	<u>Deemed Complete</u>	<u>Final Written Decision Date</u>	<u>240-Day*</u>
DR2013-0034	April 2, 2013	May 22, 2013	June 28, 2013	January 17, 2014

* Pursuant to Section 50.25.9 of the Development Code this is the latest date, with a continuance, by which a final written decision on the proposal can be made.

Existing Conditions Table

Zoning	Community Service (CS)	
Current Development	The applicant proposes to extend the existing fuel canopy 35 feet to the west. The proposal includes the addition of three (3) fuel dispensers and modification to landscaping, lighting, and on-site parking and circulation.	
Site Size	Approximately 14.03 Acres	
NAC	Five Oaks / Triple Creek	
Comprehensive Plan	<p>Land Use: Corridor</p> <p>Street Functional Classification Plan: NW 158th Avenue is classified as an Arterial; NW Schendel Avenue is classified as a Local street.</p> <p>Street Improvement Master Plan: At the intersection of NW 158th and NW Walker Road, the Transportation System Plan Street Improvement Master Plan identifies north and south bound double left turn lanes, east and north bound right turn lanes, and signal phasing. These improvements are not in place to date.</p> <p>Pedestrian & Bicycle Master Plan and Action Plans: The Pedestrian Action Plan identifies existing sidewalk facilities, bus stops, and park access at NW 158th Avenue and NW Schendel Avenue. The Bicycle Action Plan identifies existing bicycle lanes along NW 158th Avenue.</p>	
Surrounding Uses	<p>Zoning</p> <p><u>North:</u> R1 and CS</p> <p><u>South:</u> Community Service (CS)</p> <p><u>East:</u> R7</p> <p><u>West:</u> R2</p>	<p>Uses</p> <p><u>North:</u> Attached dwellings and retail</p> <p><u>South:</u> Retail, service, and restaurant</p> <p><u>East:</u> Parks and recreation facility</p> <p><u>West:</u> Attached dwellings</p>

DESCRIPTION OF APPLICATION AND TABLE OF CONTENTS

	<u>Page No.</u>
<u>Attachment A:</u> Facilities Review Committee Technical Review and Recommendation Report.	FR1 – FR11
<u>Attachment B:</u> DR2013-0034 Design Review Two Analysis and Findings	DR1-DR9
<u>Attachment C:</u> Conditions of Approval for DR2013-0034	COA1 – COA6

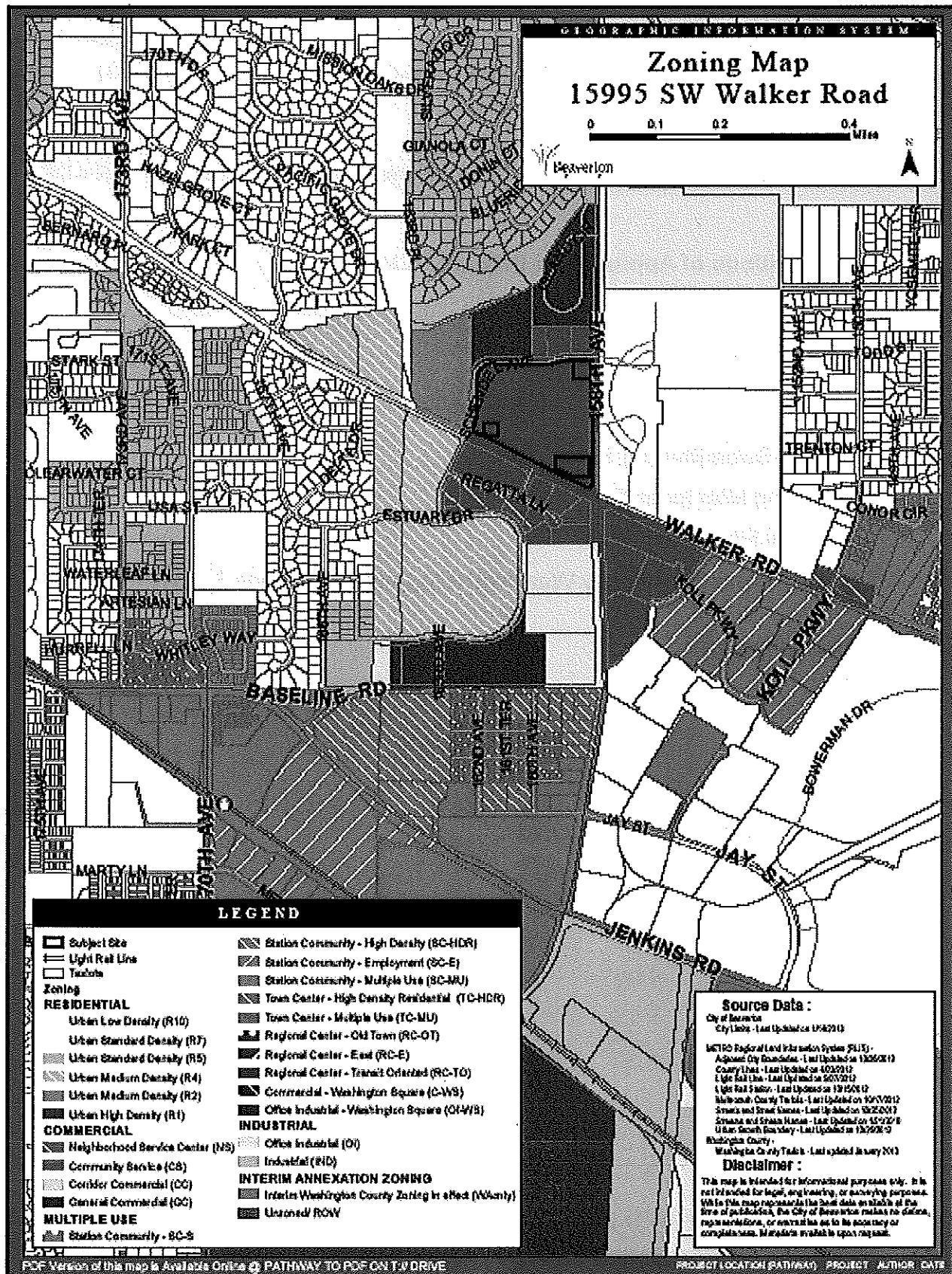
EXHIBITS

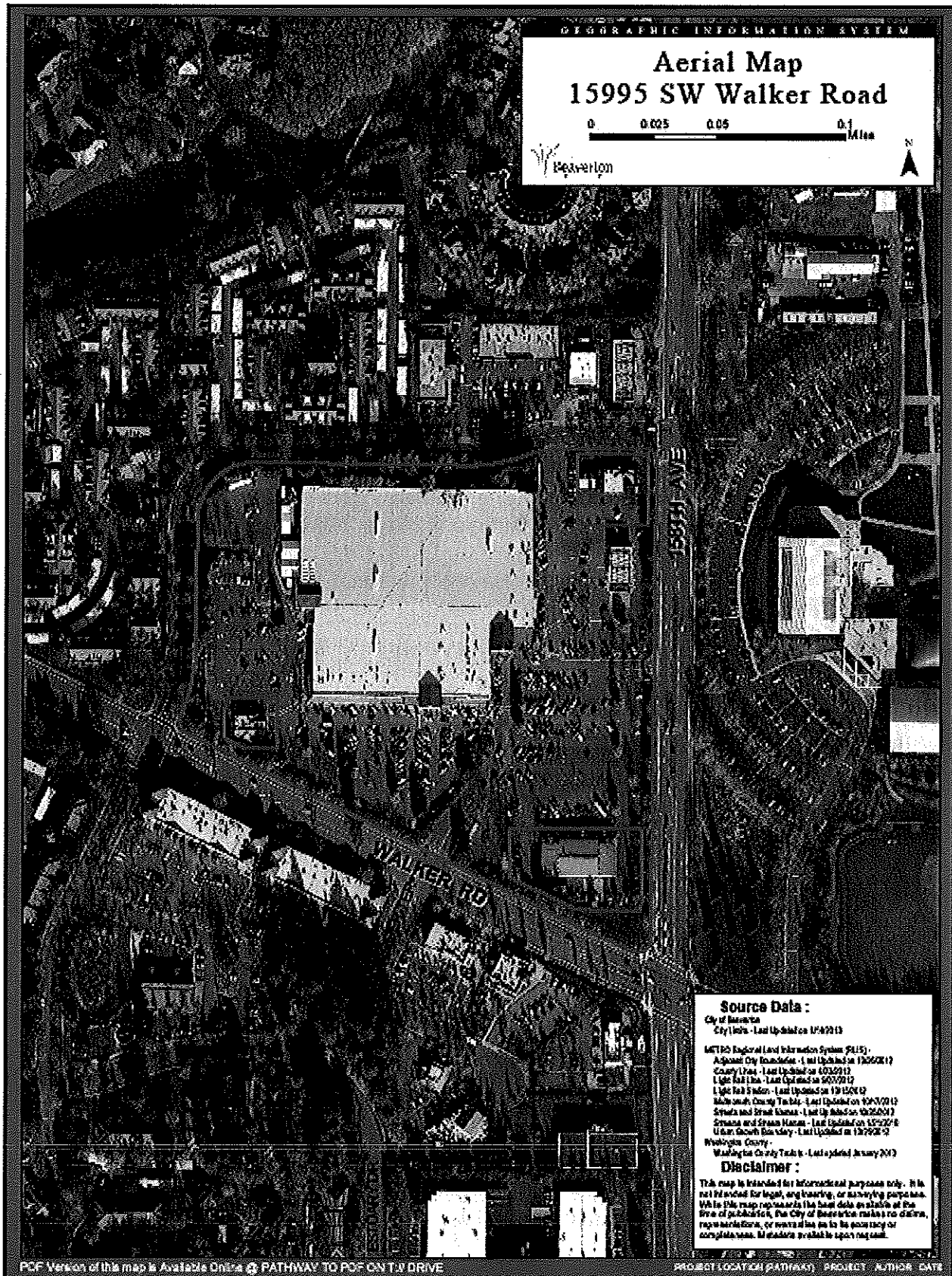
Exhibit 1 Materials Submitted by Staff

- 1.1 Zoning Map (page SR-4)
- 1.2 Aerial Map (page SR-5)
- 1.3 Comments provided by Washington County, dated June 3, 2013

Exhibit 2. Public Comments

None received





**FACILITIES REVIEW COMMITTEE
TECHNICAL REVIEW AND RECOMMENDATIONS
Walker Fred Meyer Fuel Center Expansion
(DR2013-0034)**

Major Issues

None

Section 40.03.1 Facilities Review Committee:

The Facilities Review Committee has conducted a technical review of the application, in accordance with the criteria contained in Section 40.03 of the Development Code. The Committee's findings and recommended conditions of approval are provided to the decision-making authority. As they will appear in the Staff Report, the Facilities Review Conditions may be re-numbered and placed in different order.

The decision-making authority will determine whether the application as presented meets the Facilities Review approval criteria for the subject application and may choose to adopt, not adopt, or modify the Committee's findings, below.

The Facilities Review Committee Criteria are reviewed for all criteria that are applicable to the submitted application as identified below:

All twelve (12) criteria are applicable to the submitted Design Review Two application, DR2013-0034.

- A. All critical facilities and services related to the proposed development have, or can be improved to have, adequate capacity to serve the proposed development at the time of its completion.***

Chapter 90 of the Development Code defines "critical facilities" to be services that include public water, public sanitary sewer, storm water drainage and retention, transportation, and fire protection.

Water service is provided by Tualatin Valley Water District. Stormwater and sanitary sewer services are provided by the City of Beaverton. The applicant states that water, sanitary and storm services exist on the project site and are adequate to serve the proposed expansion. The applicant has submitted a Sensitive Area Pre-Screening Site Assessment Letter from Clean Water Services (CWS) showing that no Service Provider Letter is required.

Fire protection will be provided to the site by Tualatin Valley Fire and Rescue Department. Tualatin Valley Fire & Rescue has received a copy of the submittal and has stated that they have no comments or recommendations.

The site is located on the west side of NW 158th Avenue, between SW Walker Road and NW Schendel Avenue. NW 158th Avenue and SW Walker Road are Washington County maintained roads and are classified as Arterials in the Transportation Systems Plan (TSP). NW Schendel Avenue is a City of Beaverton maintained roadway and is classified as a local street in the TSP.

The Walker Road Fred Meyer currently consists of five fuel dispensers (10 vehicle fueling positions) and an attendant's kiosk. The proposed expansion would add three dispensers, or six vehicle fueling positions.

A Transportation Impact Analysis (TIA) dated February 19, 2013 was submitted by Group Mackenzie. The primary findings of the TIA show:

- Sight distance standards at site access will continue to be met. The proposal shows trimming of existing landscaping at two locations to improve sight distance lines.
- Existing turn lanes at the following locations meet queue thresholds, but are not proposed for mitigation due to the nominal impact of the additional trips expected from the additional fuel pumps. The turn lanes include:
 - Westbound Walker Road right turn to Fred Meyer south access
 - Southbound 158th Avenue right turn to Fred Meyer east access
 - Westbound Schendel Avenue left turn to Fred Meyer north access
 - Southbound 158th Avenue right turn to Schendel Avenue
- Traffic signal warrants are not met at any signalized study area intersections.
- Nearly all study area intersections are anticipated to operate within acceptable capacity/delay standards during all analysis scenarios through the forecast year. The additional fuel trips will push delays beyond the standard at the retail 76 Station access opposite the Fred Meyer north access, but adequate capacity will remain, and drivers have two alternate driveways available.
- The 95th percentile queue in the eastbound Schendel Avenue left-turn lane approaching NW 158th Avenue currently extends beyond the Fred Meyer north access and the opposite retail 76 Station access, potentially impeding movements to or from those driveways. No queue improvements are proposed.

Staff concurs with the findings indicated in the TIA, and concludes that the study intersections operate acceptably under the existing and projected future conditions. The traffic generated by the proposal has a minimal impact on study area turn lane queues, and therefore no traffic mitigation is needed. Washington County staff recommends a condition of approval that would require the applicant to trim shrubs at two locations as shown in the TIA.

Therefore, staff finds that the proposal meets the criterion for approval, subject to conditions of approval.

- B. Essential facilities and services related to the proposed development are available, or can be made available, with adequate capacity to serve the development prior to its occupancy. In lieu of providing essential facilities and services, a specific plan may be approved if it adequately demonstrates that essential facilities, services, or both will be provided to serve the proposed development within five (5) years of occupancy.***

Chapter 90 of the Development Code defines "essential facilities" to be services that include schools, transit improvements, police protection, and pedestrian and bicycle facilities in the public right-of-way. The applicant's plans and materials were forwarded to the City Police Department, City Transportation staff, and Tualatin Valley Fire and Rescue. The Police Department and Tualatin Valley Fire and Rescue have received a copy of the submittal, and have no comments or recommendations to the Facilities Review Committee. The City did not send notice to the Beaverton School District as residential units are not part of the development plan.

The area is served by Tri-Met public transportation. The nearest transit stops are located along NW 158th Avenue at NW Schendel Avenue.

Bicycle lanes are currently provided along NW 158th Avenue. Public sidewalks provide connections to the site from both NW 158th Avenue and NW Schendel Avenue. The Transportation Division has reviewed this proposal and no traffic mitigation or site improvements are necessary to address the proposed fuel center expansion and associated site and circulation changes.

The Committee has reviewed the proposal and has found that the essential facilities and services to serve the site are adequate to accommodate the proposal as conditioned. No traffic mitigations are required.

Therefore, staff finds that the proposal meets the criterion for approval.

- C. The proposed development is consistent with all applicable provisions of Chapter 20 (Land Uses) unless the applicable provisions are modified by means of one or more applications which shall be already approved or which shall be considered concurrently with the subject application; provided, however, if the approval of the proposed development is contingent upon one or more additional applications, and the same is not approved, then the proposed development must comply with all applicable provisions of Chapter 20 (Land Uses).***

Staff cites the Code Conformance Analysis chart at the end of the Facilities Review Report, which evaluates the project as it relates to applicable code requirements of Chapter 20 for the Community Service (CS) zone, as applicable to the aforementioned criterion. As demonstrated on the chart, the proposal complies with all applicable provisions of Chapter 20.

Therefore, staff finds that the proposal meets the criterion for approval.

- D. The proposed development is consistent with all applicable provisions of Chapter 60 (Special Requirements) and all improvements, dedications, or both, as required by the applicable provisions of Chapter 60 (Special Requirements), are provided or can be provided in rough proportion to the identified impact(s) of the proposed development.***

The Committee cites the Code Conformance Analysis chart at the end of this report, which evaluates the proposal as it relates the applicable Code requirements of Chapter 60, as applicable to the above mentioned criteria. Staff will provide findings for the applicable Design Review Standards (Code Section 60.05) within the Design Review Section of the staff report.

Section 60.30 Off-Street Parking

A total of seven parking stalls will be removed as part of this proposal. With the removal of the seven stalls, the site continues to comply with the minimum parking requirements of the Beaverton Development Code.

Section 60.55 Transportation Facilities

Traffic

A traffic impact analysis (TIA) was submitted by Group Mackenzie, dated February 19, 2013. The primary findings show that the study area intersections will continue to operate acceptably with the proposed development.

Street, Bicycle, and Pedestrian Connections

All planned streets in the vicinity are constructed. No new streets, bicycle facilities, or on-street pedestrian connections are proposed or recommended. Within the project vicinity there are adequate existing on-site pedestrian connections with one walkway extending from NW 158th Avenue and one walkway extending from NW Schendel Avenue.

Street Width

NW 158th and SW Walker are under the jurisdiction of Washington County. No improvements or right-of-way dedication are recommended by Washington County staff. NW Schendel Avenue is under the jurisdiction of the City of Beaverton and currently meets the Engineering Design Manual cross-section design for local streets. No improvements or right-of-way dedication are recommended on NW Schendel Avenue.

Access

Access is taken from NW 158th Avenue (classified as an Arterial), NW Schendel Avenue (classified as Local), and SW Walker Road (classified as an Arterial). The proposal shows no modification of the existing site accesses or the addition of new access locations. No modification to the existing permitted accesses is recommended by staff.

Transit

The closest transit stop in the vicinity (TriMet's No. 67 – Bethany/158th) is located at NW 158th and Schendel. The No. 67-Bethany/158th runs weekdays and Saturdays connecting Merlo MAX Station and PCC Rock Creek, via 158th, Bethany and Springville. No new transit facilities are proposed or recommended.

Section 60.60 Trees and Vegetation

The applicant proposes removal of three landscape trees, totaling eight caliper-inches. Proposed mitigation consists of four landscape trees, each measuring two caliper-inches. The applicant's tree mitigation plan complies with Section 60.60.25.9.

Section 60.65 Utility Undergrounding

To meet the requirements of Section 60.65 (Utility Undergrounding), staff recommends a standard condition of approval requiring that all new utility lines are placed underground. Above ground powerline and poles are to be placed underground if shown to obstruct vision clearance or require relocation.

Therefore, staff finds that the proposal meets the criterion for approval, subject to conditions of approval.

- E. Adequate means are provided or can be provided to ensure continued periodic maintenance and necessary normal replacement of the following private common facilities and areas, as applicable: drainage facilities, roads and other improved rights-of-way, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage and recycling storage areas, and other facilities not subject to maintenance by the City or other public agency.***

The proposal includes a number of features that will require continued maintenance, including paving and landscaping. The property owner will be responsible for maintaining the proposed facilities and associated improvements. According to the applicant, the owner will provide continued periodic maintenance and normal replacement of private common facilities. Staff concurs that the property can be maintained by the property owner in accordance with the requirements of the City of Beaverton.

Therefore, staff finds that the proposal meets the criterion for approval.

F. There are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the development.

The Walker Road Fred Meyer currently consists of five fuel dispensers (10 vehicle fueling positions) and an attendant's kiosk. The proposed expansion adds three dispensers (6 vehicle fueling positions) and reconfigures the existing on-site circulation and queuing lanes for the fuel station.

A Technical Memo (Existing Customer Queue Conditions Review) dated June 3, 2013 was submitted by Group Mackenzie. The memo demonstrates that the proposal ensures safe and efficient on-site vehicular and pedestrian circulation patterns. The primary findings of the on-site queuing analysis show:

- Increased customer queuing capacity;
- Faster fuel service times;
- Clearly channelized traffic patterns;
- Separation between fuel traffic and unrelated traffic; and
- Reduced impedance of other site traffic

Customer vehicles will be channelized to enter the queuing lanes from the main north-south drive aisle and travel directly from the selected queuing lane into the corresponding service lane without lane changes. Traffic not related to the fuel facility will generally be separated from the fuel facility circulation area to reduce conflicting interactions. The proposed queuing lanes can accommodate the peak vehicle queues anticipated and, as such, peak queues are not anticipated to extend beyond the delineated queuing lanes or to impede drive aisle movements, much less public roadway movements.

In review of the plan, staff finds that the site will have safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the development.

Therefore, staff finds that the proposal meets the criterion for approval, subject to conditions of approval.

G. The development's on-site vehicular and pedestrian circulation systems connect to the surrounding circulation systems in a safe, efficient, and direct manner.

The proposal does not modify the existing vehicular and pedestrian connections to the adjacent right of way. The driveway on NW Schendel exceeds the city's minimum driveway spacing standard for a Local Street. Pedestrian walks in the project vicinity are a minimum of five feet wide, connect to the main building, and are constructed of concrete or are striped on asphalt where crossing a drive aisle.

In review of the plan, staff finds the proposed vehicular and pedestrian circulation systems will connect to the surrounding systems in a safe and efficient manner in conformance with Development Code Section 60.55.25.

Therefore, staff finds that the proposal meets the criterion for approval.

H. Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate fire protection, including, but not limited to, fire flow.

Fire protection will be provided to the site by Tualatin Valley Fire and Rescue Department. Tualatin Valley Fire & Rescue did not provide comment. The proposal will need to show compliance to the City's Building Code Standards prior to issuance of site development and building permits, which includes compliance with TVF&R standards.

Therefore, staff finds that the proposal meets the criterion for approval.

I. Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate protection from crime and accident, as well as protection from hazardous conditions due to inadequate, substandard or ill-designed development.

The Committee finds that review of the construction documents at the building and site development permit stages will ensure protection from hazardous conditions due to inadequate, substandard or ill-designed development.

Therefore, staff finds that the proposal meets the criterion for approval.

J. Grading and contouring of the development site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.

The applicant states that the site has been designed to limit drainage impacts to adjacent properties and right-of-way. The proposed fuel center expansion will integrate into the existing design. The City Engineer has reviewed the proposal, and has identified recommended standard conditions of approval necessary to ensure the proposed site work will be in compliance with adopted Codes and standards and to ensure the proposal will not have an adverse impact on surrounding properties.

Therefore, staff finds that the proposal meets the criterion for approval, subject to conditions of approval.

K. Access and facilities for physically handicapped people are incorporated into the development site and building design, with particular attention to providing continuous, uninterrupted access routes.

The applicant will be required to meet all applicable accessibility standards of the Uniform Building Code, the Uniform Fire Code, and other standards as required by the American Disabilities Act (ADA). Conformance with the technical design standards for Code accessibility requirements are to be shown on the approved construction plans associated with Site Development and Building Permit approvals. The Committee finds that as proposed, the general site layout can meet accessibility requirements. Accessibility is thoroughly evaluated through the site development and building permitting reviews. As a condition of approval, the site shall be in conformance with ADA requirements. This requirement is in conformance with the Development Code.

Therefore, staff finds that the proposal meets the criterion for approval, subject to conditions of approval.

L. The application includes all required submittal materials as specified in Section 50.25.1 of the Development Code.

The application was submitted on April 2, 2013. The applicant deemed the application complete on May 22, 2013. In the review of the materials during the application review, the Committee finds that all applicable application submittal requirements, identified in Section 50.25.1 are contained within this proposal.

Therefore, staff finds that the proposal meets the criterion for approval.

Code Conformance Analysis
Chapter 20 Use and Site Development Requirements
Community Service (CS) District

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 20.10.20 (Community Service)			
Use- Permitted	Minor Automotive Service	Add three fuel pumps and extend fuel canopy. Existing fuel pumps and kiosk will remain. Associated site and circulation changes.	Yes-with COA
Development Code Section 20.10.15 (Community Service)			
Minimum Lot Area	7,000 sq. ft.	No changes to the lot area are proposed.	N/A .
Minimum Lot Dimensions Width Depth	70' 100'	No changes to the lot dimensions are proposed.	N/A
Minimum Yard Setbacks Front Side Rear	20' 10' Interior, 20' Corner 20' Abutting Residential Zone	40' (north) 48' (east) 160' (west) 200' (south)	Yes
Maximum Building Height	60'	22'	Yes

Chapter 60 Special Requirements

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.05			
Design Review Principles, Standards, and Guidelines	Requirements for new development and redevelopment.	Expansion of existing fuel facility and associated site and circulation changes.	Refer to DR findings
Development Code Section 60.10			
Floodplain Regulations	Requirements for properties located in floodplain, floodway, or floodway fringe.	A floodplain does not affect the subject property.	N/A
Development Code Section 60.12			
Habitat Friendly and Low Impact Development Practices	Optional program offering various credits available for use of specific Habitat Friendly or Low Impact Development techniques.	No Habitat Friendly or Low Impact Development credits requested.	N/A
Development Code Section 60.30			
Off-street motor vehicle parking	703 spaces	710 spaces	Yes
Required Bicycle Parking Short Term Long Term	1 space per 12,000 square-feet 1 space per 12,000 square-feet	The proposal does not modify bicycle parking or floor area.	N/A
Development Code Section 60.55			
Transportation Facilities	Regulations pertaining to the construction or reconstruction of transportation facilities.	Proposed facilities are in conformance. The TIA concludes that no traffic mitigation is needed.	Yes-with COA
Development Code Section 60.60			
Trees & Vegetation	Regulations pertaining to the removal and preservation of trees.	Removal of three landscape trees. Proposed mitigation meets requirements for replacement of landscape trees.	Yes
Development Code Section 60.65			
Utility Undergrounding	All existing overhead utilities and any new utility service lines within the project and along any existing frontage, except high voltage lines (>57kV) must be placed underground.	All utilities are required to be placed underground in accordance with this provision.	Yes- with COA

**RECOMMENDATION AND CONDITIONS OF APPROVAL
BY THE FACILITIES REVIEW COMMITTEE:**

DR2013-0034 (Walker Fred Meyer Fuel Center Expansion)

The Facilities Review Committee finds that the proposal complies with all the technical criteria. The Committee recommends that the decision-making authority in APPROVING the proposal, adopt the following conditions of approval:

[The Conditions of Approval recommended by the Facilities Review Committee have been incorporated into the Conditions of Approval found in Attachment C of this Staff Report.]

**ANALYSIS AND FINDINGS FOR
DESIGN REVIEW TWO APPROVAL
DR2013-0034**

Section 40.20.15.2.C Approval Criteria

In order to approve a Design Review Two application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

- 1. The proposal satisfies the threshold requirements for a Design Review Two application.***

Facts and Findings:

The applicant's request to expand the existing fuel canopy and associated landscape and site changes satisfies the requirements of threshold #5 for a Design Review Two application:

- 1. Building additions in residential, commercial, or multiple use zones less than 30,000 square-feet of floor area that do not qualify for consideration under the thresholds for Design Review Compliance Letter.*

Therefore, staff finds that the proposal meets the criterion for approval.

- 2. All City application fees related to the application under consideration by the decision making authority have been submitted.***

Facts and Findings:

The applicant has paid the required application fee of \$1,811.00 for a Design Review Two application.

Therefore, staff finds that the proposal meets the criterion for approval.

- 3. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.***

Facts and Findings:

The applicant submitted the application on April 2, 2013. The applicant deemed the application complete on May 22, 2013. In review of the materials received, the Facilities Review Committee found that all applicable application submittal requirements, identified in Section 50.25.1 are contained within this proposal.

Therefore, staff finds that the proposal meets the criterion for approval.

4. ***The proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards).***

Facts and Findings:

Staff cites the findings contained within the Design Review Standard analysis chart that identifies the applicable Design Standards or this proposal.

Therefore, staff finds that by satisfying the conditions of approval, the proposal meets the criterion for approval.

5. ***For additions to or modifications of existing development, the proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) or can demonstrate that the additions or modifications are moving towards compliance of specific Design Standards if any of the following conditions exist:***

- a. ***A physical obstacle such as topography or natural feature exists and prevents the full implementation of the applicable guideline; or***
- b. ***The location of existing structural improvements prevent the full implementation of the applicable guideline; or***
- c. ***The location of the existing structure to be modified is more than 300 feet from a public street.***

If the above conditions are found to exist and it is not feasible to locate a proposed addition in such a way that the addition abuts a street, then all applicable design standards except the following must be met:

- d. ***If in a Multiple-Use District, building location entrances and orientation along streets, and parking lot limitations along streets (Standards 60.05.15.6 and 60.05.20.8)***
- e. ***If in a Multiple-Use or Commercial District, ground floor elevation window requirements (Standard 60.05.15.8)***

Facts and Findings:

The proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards), or can be made to be consistent by meeting the conditions of approval. Therefore this criterion is identical to criterion # 4, addressed above.

Therefore, staff finds that by satisfying the conditions of approval, the criterion is met.

6. ***Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.***

Facts and Findings:

The applicant has submitted all documents related to this request for a Design Review Two application.

Therefore, staff finds that the proposal meets the criterion for approval.

Design Review Standards Analysis

Section 60.05.15 Building Design and Orientation

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Building Articulation and Variety		
60.05.15.1.A Max length of attached residential buildings	Residential development is not proposed.	N/A
60.05.15.1.B Min 30% articulation	The fuel canopy is not subject to articulation standards.	N/A
60.05.15.1.C Max 40' between architectural features	Spacing requirements for architectural features are not applicable.	N/A
Roof Forms		
60.05.15.2.A Min roof pitch = 4:12	The proposed building has a flat roof. Therefore, this standard is not applicable.	N/A
60.05.15.2.B Min roof eave = 12"	The proposed building has a flat roof. Therefore, this standard is not applicable.	N/A
60.05.15.2.C Flat roofs	The design and materials of the canopy expansion will match the existing canopy.	YES
60.05.15.2.D New structures in existing development be similar	The expanded portion of the fuel canopy will also have a flat roof.	YES
60.05.15.2.E 4:12 roof standard is N/A to smaller feature roofs	There are no smaller features present	N/A
Primary Building Entrances		
60.05.15.3 Weather protection for primary entrance	The fuel canopy does not require a primary entrance.	N/A
Exterior Building Materials		
60.05.15.4.A Residential construction	The proposed construction is to a commercial building, not a residential building	N/A
60.05.15.4.B Maximum 30% of primary elevation to be made of unfinished concrete block	The fuel canopy is not made of unfinished concrete block.	N/A
60.05.15.4.C Non-residential foundations	The fuel canopy is not subject to foundation standards.	N/A
Roof-Mounted Equipment		
60.05.15.5.A through C Equipment screening	The fuel canopy does not include existing or proposed roof-mounted equipment.	N/A
Building Location and Orientation along Streets in MU and Com. Districts		
60.05.15.6.B 35% street frontage	The parcel exceeds 60,000 gross square feet. However, the canopy expansion is not subject to street frontage standards.	N/A

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
60.05.15.6.C 20' max setback and landscaping	A portion of the site will be redeveloped. The proposal retains the existing fuel canopy, which is located on the eastern portion of the site.	N/A
60.05.15.6.D Building Orientation on the Corner of Two MPRs	The building is not on the corner of two Class 1 Major Pedestrian Routes.	N/A
60.05.15.6.E Pedestrian Entrance or Connection Along MPR	The subject site does not abut a Class 1 Major Pedestrian Route.	N/A
60.05.15.6.F Secondary Entrances	Primary entrances are not applicable to the fuel canopy.	N/A
Building Scale along Major Pedestrian Routes		
60.05.15.7.A Min building height 22' along MPR	The subject site is not located along a Major Pedestrian Route.	N/A
60.05.15.7.B Detached residential dwellings are exempt	The proposal does not include any detached residential dwellings.	N/A
Ground Floor Elevation on Commercial and Multiple Use Buildings		
60.05.15.8.A 35% of ground floor elevation to be glazing	Glazing standards are not applicable to the fuel canopy expansion.	N/A
60.05.15.8.B 35% of ground floor elevation to provide weather protection	The subject site is not located along a Major Pedestrian Route.	N/A

Section 60.05.20 Circulation and Parking Design

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Connections to the public street system		
60.05.20.1 Connect on-site circulation to existing and planned street system	The proposed development will utilize existing connections to 158 th Avenue and Schendel Avenue, in compliance with the standards of the City of Beaverton's Comprehensive Plan Transportation Element.	N/A
Loading Areas, solid waste facilities and similar improvements		
60.05.20.2.A Screen waste facilities from public view	The proposal does not modify existing trash enclosures.	N/A
60.05.20.2.B Screen loading docks from public view	No loading docks are proposed or required.	N/A
60.05.20.2.C Screen outdoor storage from public view	The proposal does not modify existing trash enclosures.	N/A
60.05.20.2.D Screening with chain-link is prohibited	No chain link is proposed for screening purposes.	N/A
60.05.20.2.E Waiver of loading dock screening	No loading docks are proposed or required.	N/A
Pedestrian Circulation		
60.05.20.3.A Link to adjacent facilities	Pedestrian circulation is provided to the existing sidewalk system along 158 th Avenue and Schendel Avenue.	YES
60.05.20.3.B Direct walkway connection	Pedestrian circulation is provided to the existing sidewalk system along 158 th Avenue and Schendel Avenue.	YES
60.05.20.3.C Walkways every 300'	Pedestrian connections are provided to the sidewalk system along 158 th Avenue and Schendel Avenue. No further connections are required.	N/A
60.05.20.3.D Physical separation	Raised curbs or landscaping separate pedestrian walkways from parking spaces.	YES
60.05.20.3.E Distinct paving	Existing pedestrian crossings are made of differentiated paving material. No new crossings are proposed or required.	YES
60.05.20.3.F 5' minimum width	No new crossings are proposed or required.	YES
60.05.20.3.G Scored concrete or modular paving materials	Existing pedestrian crossings are made of differentiated paving material.	YES
60.05.20.3.H ADA Compliance	No new crossings are proposed or required. ADA compliance is reviewed at the time of building permit submittal.	YES

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Street Frontages and Parking Areas		
60.05.20.4. A. Required perimeter landscaping and screening for parking lots	The proposal does not modify existing parking areas that abut a public street.	N/A
Parking and Landscaping		
60.05.20.5.A.2 Parking area landscaping	The proposal modifies an existing parking aisle by removing five parking stalls. One landscape planter is proposed.	YES
60.05.20.5.B Planter island standards	The proposed landscape planter island is approximately 600 square-feet in size.	YES
60.05.20.5.C Raised sidewalk standards	Raised sidewalks exist along the building. No new sidewalks are proposed.	YES
60.05.20.5.D Tree Species	The proposal includes trees within the landscape planter island.	YES
Off-Street Parking Frontages in Multiple-Use Districts		
60.05.20.6 Off-street parking frontages	The subject site is not located in a Multiple Use zone.	N/A
Sidewalks Along Streets and Primary Building Elevations in Multiple-Use and Commercial Districts		
60.05.20.7.A Required sidewalk widths	No changes to existing sidewalk facilities are proposed or required.	N/A
60.05.20.7.B Sidewalk along building entrances	The proposal does not modify existing sidewalks along building entrances.	N/A
Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Multiple-Use, and Commercial Districts		
60.05.20.8.A and B Drive aisles to be designed as public streets, if applicable	Parking lot drive isles do not meet the thresholds to be developed as private street.	N/A
Ground Floor uses in parking structures		
60.05.20.9	No parking structures are proposed.	N/A

Section 60.05.25 Landscape, Open Space, and Natural Areas Design Standards

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Minimum Landscaping Requirements		
60.05.25.1-4 Residential Open Space	The proposal is not a residential development.	N/A
60.05.25.5.A.2 Minimum Landscape Area (15%)	15.4% of the site will be landscaped.	YES
60.05.25.5.B.1-3 Minimum Landscape Area Plantings	The 600 sq. ft. landscape island will be planted with 4 trees, 23 shrubs, and ground cover.	YES
60.05.25.5.C.1 Plaza Requirements	Plazas are not required or proposed as part of this development.	N/A
60.05.25.5.D Foundation Landscaping	The fuel canopy does not require ground floor elevation landscaping.	N/A
Standards for Common Greens and Shared Courts in Multiple-Use Zones		
60.05.25.6 Common Greens	The subject site is not located within a Multiple-Use zone.	N/A
60.05.25.7 Shared Courts	The subject site is not located within a Multiple-Use zone.	N/A
Retaining Walls		
60.05.25.8 Retaining Walls	No retaining walls are proposed.	N/A
Fences and Walls		
60.05.25.9 Fences and Walls	No new fences or walls are proposed.	N/A
Minimize Significant Changes To Existing On-Site Surface Contours At Residential Property Lines		
60.05.25.10 Minimize grade changes	The site does not abut a residentially zoned property.	N/A
Integrate water quality, quantity, or both facilities		
60.05.25.11 Location of facilities	The proposal will utilize existing storm water facilities. Water quality and quantity will be further reviewed under Site Development permit, as conditioned herein.	YES – with COA
Natural Areas		
60.05.25.12 No encroachment into buffer areas.	There are no natural areas associated with the site or adjacent to the development.	N/A
Landscape Buffering Requirements		
60.05.25.13 Landscape buffering between contrasting zoning districts	The site does not abut a residentially zoned property.	N/A

Section 60.05.30 Lighting Design Standards

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Adequate on-site lighting and minimize glare on adjoining properties		
60.05.30.1.A Technical Lighting Standards	All new lighting will comply with the Technical Lighting Standards.	YES
60.05.30.1.B Vehicular Circulation Areas	Existing lighting is provided in vehicular and pedestrian circulation areas. The proposal includes relocation of one pole.	YES
60.05.30.1.C Pedestrian Lighting	No pedestrian plaza is proposed.	N/A
60.05.30.1.D Building Entrance Lighting	The proposal does not require building entrance lighting.	N/A
60.05.30.1.E Canopy lighting recessed	All LED canopy lighting will be recessed.	YES
Pedestrian-scale on-site lighting		
60.05.30.2.A Pole Mounted Luminaires	One existing pole mounted luminaires will be relocated.	YES
60.05.30.2.B Non-Pole Mounted Luminaires	No new pedestrian lighting is proposed or required.	N/A
60.05.30.2.C Lighted Bollards	Lighted bollards are not proposed.	N/A

RECOMMENDATION

Based on the facts and findings presented, staff recommends **APPROVAL** of DR2013-0034 (Walker Fred Meyer Fuel Center Expansion), subject to the conditions identified in Attachment C.

CONDITIONS OF APPROVAL
DR2013-0034 Design Review Two Application

A. Prior to issuance of the site development permit, the applicant shall:

1. Submit the required plans, application form, fee, and other items needed for a complete site development permit application per the applicable review checklist. (Site Development Div./JJD)
2. Contract with a professional engineer to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, as set forth in Ordinance 4417 (City Engineering Design Manual and Standard Drawings), Beaverton Development Code (Ordinance 2050, 4010 +rev.), the Clean Water Services District Design and Construction Standards (June 2007, Resolution and Ordinance 2007-020), and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development Div./JJD)
3. Submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional(s) Registered in Oregon. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions as set out in Ordinances 2050, 4010+rev., and 4417; however, any required land use action shall be final prior to City staff approval of the engineering plan revision and work commencing as revised. (Site Development Div./JJD)
4. Have the ownership of the subject property guarantee all public improvements, site grading, storm water management (quality) facilities, private streets, and common/emergency access paving by submittal of a City-approved security. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount, equivalent to 100 percent or more of estimated construction costs. (Site Development Div./JJD)
5. Submit to the City a copy of issued permits or other approvals needed from Washington County for work within, and/or construction access to the 158th Avenue or Walker Road rights of way as applicable. (Site Development Div./JJD)
6. Submit a final geotechnical and geo-environmental report with the site development permit application for review and approval by the City Engineer. The report shall include an assessment of the soil and any toxic contaminants, ground/surface water issues, any needed clean-up action,

remediation methods, Oregon Department of Environmental Quality requirements, disposal regulations, and worker safety measures. It shall be prepared by a professional engineer or registered geologist to the specifications of the City Engineer and rules of the Oregon Department of Environmental Quality (DEQ). (Site Development Div./JJD)

7. Submit a letter of "no further action" (NFA) or other documentation specifically allowing the proposed construction activities and site plan approval from the Oregon DEQ (Case File #34-12-0233). (Site Development Div./JJD)
8. Have obtained the Tualatin Valley Fire and Rescue District Fire Marshal's approval of the site development plans as part of the City's plan review process. (Site Development Div./JJD)
9. Submit a copy of issued permits or other approvals needed from the Tualatin Valley Water District for public water system construction, backflow prevention facilities, and service extensions. (Site Development Div./JJD)
10. Have obtained approvals needed from the Clean Water Services District for storm system connections as a part of the City's plan review process. (Site Development Div./JJD)
11. Provide a detailed drainage analysis of the subject site and all tributary areas and prepare a report prepared by a professional engineer meeting the standards set by the City Engineer. The analysis shall identify all contributing drainage areas and plumbing systems on and adjacent to the site with the site development permit application. (Site Development Div./JJD)
12. Provide a detailed drainage analysis of the subject site and prepare a report prepared by a professional engineer meeting the standards set by the City Engineer. The analysis shall identify all contributing drainage areas and plumbing systems on and adjacent to the site with the site development permit application. The analysis shall also delineate all areas on the site that are inundated during a 100-year storm event in addition to any mapped FEMA flood plains and flood ways. (Site Development Div./JJD)
13. Provide plans that show any drain inlets under the covered fueling and service facilities are piped to the sanitary sewer system via an API or CPS-type oil/water separator as approved by the City Building Official. The flow from the roof (canopy cover) of the fueling and service facility shall be piped to the approved storm water system. To prevent spills from entering the sanitary sewer system, an automatic or manual shut-off valve shall be installed in the fueling/service area discharge line prior to the connection with the public sanitary sewer. The areas immediately adjacent to the fueling/service area where precipitation may fall, track, or be blown under the cover shall be reverse-graded, trench drained, or bermed from other portions

of the facility to minimize the amount of stormwater being transported beneath the cover. The cover must have a minimum overhang of 5 feet on each side. The cover overhang is to be measured relative to a berm, trench drain, or pavement grade break that separates the vehicle fueling/service area outside the covered area from that under the covered area. (Site Development Div./JJD)

14. Provide construction plans that show how each lot will be independently served by utility systems as required by the City Engineer and City Building Official per City standards. All site sewer (storm and sanitary) plumbing that serves more than one lot, or crosses onto another lot, shall be considered a public system and shall be constructed to the requirements of the City Engineer. Sheet flow of surface water from one lot's paved area to another lot's paved area shall not be considered a direct plumbing service. (Site Development Div./JJD)
15. Provide final construction plans and a final drainage report demonstrating compliance with CWS Resolution and Order 2007-020 in regard to redevelopment water quality treatment (see Table 4-1), through installation of Contech Inc., Stormfilter catch basin systems. Treatment shall be provided at a minimum equivalent of 3.0 cartridges per tributary impervious acre as generally outlined in the preliminary drainage report dated March 26, 2013. (Site Development Div./JJD)
16. Submit an owner-executed, notarized, City/CWS standard private stormwater facilities maintenance agreement, with maintenance plan and all standard exhibits, ready for recording with Washington County Records. (Site Development Div./JJD)
17. Submit to the City a certified impervious surface determination of the proposed project by the applicant's engineer, architect, or surveyor. The certification shall include an analysis and calculations of all impervious surfaces as a total on the site. Specific types of impervious area totals, in square feet, shall be given for buildings, parking lots/driveways, sidewalk/pedestrian areas, storage areas, and any gravel surfaces. Calculations shall also indicate the square footage of pre-existing impervious surface, the new impervious surface area created, and total final impervious surface area. (Site Development Div./JJD)
18. Pay a storm water system development charges (overall system conveyance and quantity) for any net new impervious area proposed. (Site Development Div./JJD)
19. Provide plans for the placement of underground utility lines along street frontages, within the site, and for services to the proposed new development. No utility service lines to the building, lot lighting, and structures shall remain overhead on site; all utilities must be provided underground. If existing utility

poles along existing street frontages must be moved to accommodate the proposed improvements, the affected lines must be either undergrounded or a fee in lieu of undergrounding paid per Section 60.65 of the Development Code. (Site Development Div./JJD)

20. Any work within the right-of-way of SW Walker Road or SW 158th Avenue requires a ROW permit from Washington County Operations Division (503-846-7639). (Washington County / NV)

B. Prior to building permit issuance, the applicant shall:

21. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div./JJD)
22. Make provisions for installation of all mandated erosion control measures to achieve City inspector approval at least 24 hours prior to call for foundation footing form inspection from the Building Division. (Site Development Div./JJD)
23. Ensure all site improvements, including grading and landscaping are completed in accordance with plans marked "Exhibit A", except as modified by the decision making authority in conditions of approval. (On file at City Hall). No occupancy permit (including temporary occupancy) will be issued until all improvements are complete. (Planning / CP)
24. Ensure all construction is completed in accordance with the Materials and Finishes form and Materials Board, both marked "Exhibit B", except as modified by the decision making authority in conditions of approval. (On file at City Hall). No occupancy permit (including temporary occupancy) will be issued until all improvements are complete. (Planning / CP)
25. Ensure construction of all buildings, walls, fences and other structures are completed in accordance with the elevations and plans marked "Exhibit C", except as modified by the decision making authority in conditions of approval. (On file at City Hall). No occupancy permit (including temporary occupancy) will be issued until all improvements are complete. (Planning / CP)

C. Prior to final inspection of any building permit or occupancy permit issuance, the applicant shall:

25. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div./JJD)

26. Have the landscaping completely installed or provide for erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development Div./JJD)
27. Have placed underground all affected, applicable existing overhead utilities and any new utility service lines within the project and along any existing street frontage as determined at permit issuance. (Site Development Div./JJD)
28. Install or replace, to City specifications, all sidewalks which are missing, damaged, deteriorated, or removed by construction. (Site Development Div./JJD)
29. Have obtained a Source Control Permit (AKA Industrial Sewage Permit) from the Clean Water Services District and submitted a copy to the City Building Official if such a permit is required, as determined by CWS. (Site Development Div./JJD)
30. Ensure all landscaping approved by the decision making authority is installed. (Planning / CP)
31. Ensure all landscape areas are served by an underground landscape irrigation system. For approved xeriscape (drought-tolerant) landscape designs and for the installation of native or riparian plantings, underground irrigation is not required provided that temporary above-ground irrigation is provided for the establishment period. (Planning / CP)
32. Ensure that the planting of all approved trees, except for street trees or vegetation approved in the public right-of-way, has occurred. Trees shall have a minimum caliper of 1-1/2 inches. Trees planted within the landscape buffer shall have a minimum height of 6 feet at the time of planting. Deciduous trees may be supplied bare root provided the roots are protected against damage. Each tree is to be adequately staked. (Planning / CP)
33. Ensure all exterior lighting fixtures are installed and operational. Illumination from light fixtures, except for street lights, shall be limited to no greater than 0.5 foot-candle at the property line as measured in the vertical and horizontal plane. Public view of exterior light sources such as lamps and bulbs, is not permitted from streets and abutting properties at the property line. (Planning / CP)
34. Trim and maintain shrubs located east of the south access and north of the east access in order to improve sight distance, as identified in the Transportation Impact Analysis (TIA) dated February 19, 2013. (Washington County / NV)

D. Prior to release of performance security, the applicant shall:

34. Have completed the site development improvements as determined by the City Engineer and met all outstanding conditions of approval as determined by the City Engineer and Planning Director. Additionally, the applicant and professional(s) of record shall have met all obligations under the City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon, as determined by the City Engineer. (Site Development Div./JJD)
35. Submit any required on-site easements, executed and ready for recording, to the City after approval by the City Engineer for area encumbered and City Attorney as to form. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet City standards. (Site Development Div./JJD)
36. Provide evidence of a post-construction cleaning, system maintenance, and StormFilter recharge/replacement per manufacturer's recommendations and a pre-paid service contract for a two year period from the date of performance acceptance for the site's proprietary storm water treatment systems by a CONTECH qualified maintenance provider as determined by the City Engineer. (Site Development Div./JJD)

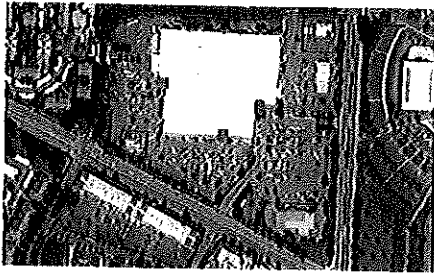
**WASHINGTON COUNTY, OREGON**

Department of Land Use and Transportation, Operations & Maintenance Division
1400 SW Walnut Street, MS 51, Hillsboro, Oregon 97123-5625
(503) 846-7623 · FAX: (503) 846-7620

June 3, 2013

Cassera Phipps
City of Beaverton
PO Box 4755
Beaverton, OR 97076
No. of Pages: 1

RE: Walker Fred Meyer Fuel Center Expansion
City File Number: **DR2013-0034**
Tax Map and Lot Number: **1S105BA01100**
Location: **SW Walker Road/SW 158th Avenue**



Washington County Department of Land Use and Transportation has reviewed the above noted land use application and requests the following Conditions of Approval be included in the decision for City Casefile DR2013-0034.

- Trim shrubs to improve sight distance at the locations identified in the Transportation Impact Analysis dated February 19, 2013 (Group MACKENZIE, "Fred Meyer Walker Road Store #482 Fuel Facility Expansion").
- Any work within the right-of-way of SW Walker Road or SW 158th Avenue requires a ROW permit from Washington County Operations Division (503.846.7639).

Thank you for the opportunity to comment. If you have any questions, please contact me at 503-846-7639.


Naomi Vogel
Associate Planner

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